

Mountainside Woods – Subdivision Public Hearing Public Comment and Responses

On September 27, 2012, the Town of Lloyd Planning Board opened the public hearing on the subdivision for the Mountainside Woods project. The following is a list of all questions and comments made at the public hearing on September 27th as well as those received in writing on or before October 5, 2012. The public hearing was held open by the Planning Board and will continue on October 25, 2012.

The following is a list of the individuals who spoke at the public hearing:

- Henry Wallace – 13 Reservoir Rd
- John Indelicato – 51 New Paltz Road
- Frank Sammartano – 25 Hilltop Lane
- Krystyna Gawek – 30 Toc Drive
- Gary Carter – 23 Cambridge Court
- Joseph LaFiandra – 80 Sunnybrook Cir
- Osei Adoma – 19 Hilltop Lane
- Bob Baron - 30 Reservoir Road
- Emily Albers – 7 Carmella Road
- Joseph Pugliese – 23 Hilltop Lane
- Steven Greenwell – 8 Diana Ridge
- Thomas Kiss – 17 Hilltop Lane
- Karl Kilpatrick – 13 Brescia Boulevard
- Denise Hamberger – 7 Reservoir Road
- Gavy Kiliva – 3 Toc Drive

Written comments were received from the following individuals:

- Ellen Marie Cosentino (19 Cambridge Court), letter dated September 18, 2012
- Mary Genne Phillips (88 Sunnybrook Circle), letter dated September 19, 2012
- Gary & Barbara Carter (23 Cambridge Court), email dated September 28, 2012
- Dean Rivers (30 Toc Drive); 2 letters dated September 20 and September 28, 2012
- Peter Miller, Chief, Highland Fire District, letter dated September 26, 2012
- Rich Klotz, Superintendent, Town of Lloyd Highway Department, letter dated September 28, 2012

The comments have been grouped into categories that correspond to the topics analyzed during the environmental review process. Where appropriate, some of the comments are summarized or paraphrased. Attribution for the comment is included. Comments submitted in writing are identified; all other comments were made orally at the public hearing. When comments are repeated, all commenters are referenced.

To facilitate the reader's understanding of where specific comments are addressed, hand written notations have been added to the original source documents, which are attached as Appendix A, cross referencing the original comment with the corresponding response.

ZONING, CONSERVATION SUBDIVISION and the COMPREHENSIVE PLAN:

Comment #1: Several individuals commented on the density of the project, the size of the housing lots and the compatibility of the project with the neighborhood including:

- John Indelicato: There are too many houses and too close, the development should be spread out. How large are the lots? He doesn't think the town is a good fit for this type of project.
- Emily Albers: The development is too dense.
- Thomas Kiss: How can you fit homes and road(s) into this small area? The project is too dense and the lots are too small.
- Denise Hamberger: The project is too dense for Highland.

Response #1: The issue of the density of the project was carefully considered during the environmental review process and is more completely described on pages 28 through 35 of the Draft Environmental Impact Statement prepared for the project (hereinafter DEIS), which is available for review on line and at the Town of Lloyd Town Hall. The project is designed as a conservation subdivision. A conservation subdivision does not increase the density of the project, but rather clusters the development on smaller lots so as to allow for the preservation of open space. The allowable density for the project, prior to the rezoning, was 211 units. (See page 32 of the DEIS for a description of how this density count was determined.) The current project proposes 162 housing lots.

The Town's Comprehensive Plan advocates the use of conservation subdivisions to preserve open space; create compact neighborhoods with a strong sense of design; provide greater economy and efficiency in the siting of services and infrastructure; reduce road lengths, utility runs and impervious surface; and protect sensitive environmental land including steep slopes, wetlands, habitat and important visual resources. Over 123 acres of the property will be protected through the use of the conservation subdivision including the slope of Illinois Mountain which has been identified by the Town as an important natural and visual resource.

The density for the Mountainside Woods conservation subdivision is consistent with other developments in the area. The density for the developed portion of the Mountainside Woods project (the area not being donated to the Town) is approximately 5.47 units per acre; the Cambridge development has a density of approximately 5.0 units per acre, with no open space; and Sunny Brook Condominiums has a density of 9.2 units per acre.

Comment #2: Thomas Kiss: Was told that the Town owned the land behind his house and that there would be no further building behind him.

Response #2: The land behind the homes on Hilltop Lane has always been in private ownership. The land adjacent to the homes that were developed on Hilltop Lane has been zoned R-1/4 since the development of Hilltop Lane.

PROJECT DESIGN and LAYOUT:

Comment #3: Thomas Kiss: Will the developer be held to building the site plan as designed?

Response #3: If the project is approved, as a condition of approval, the developer will be required to enter into a Developer's Agreement with the Town which will set forth the requirements to post performance bonds that ensure that all infrastructure is built in conformance with the approved plans. If the builder fails to complete any improvements, the Town may use

the proceeds from the performance bond to complete the improvements. If the developer wishes to make any modifications to the buildings, these changes must be brought before the Planning Board for review. Also, the project will be phased and all infrastructure must be completed or bonded prior to the developer beginning construction in the next phase.

Comment #4: Frank Sammartano: There is a gravel parking lot near his home; will a playground also to be installed?

Response #4: The subdivision plan proposes only a gravel parking lot, for seasonal use by hikers wishing to access the trails on Illinois Mountain. No playground is proposed at this time. This lot will be donated to the Town as part of the open space and will be within their ownership and control.

Comment #5: A few individuals commented on the location of homes that are proposed behind the existing homes on Hilltop Lane including:

- Osei Adoma: How far back from the property lines will you be building? Would like to see a buffer zone and the use of trees as a buffer.
- Frank Sammartano: Would like some kind of buffering between the existing homes on Hilltop Lane that back up to the proposed new homes.
- Joseph Pugliese: Would like to see landscape buffers between his property and the proposed homes.

Response #5: The proposed homes in the new development will share a rear property line with the existing home on Hilltop Lane. The majority of the garages are approximately 16 to 18' from the shared property line. At the direction of the Planning Board, the applicant will take a hard look at this issue and consider options for buffering these homes.

Comment #6: Gary Carter: He believes that the new road is too close to his property and would like to see some kind of a buffer or setback between these homes and his property; Gary and Barbara Carter, email dated 9-28-12: How far away from the property line will the building take place to Cambridge Court?

Response #6: The road that Mr. Carter is referring to is the proposed Vista Drive Extension which will connect Vista Drive with Hilltop Lane. This connection is being made in order to improve access, traffic flow and safety in the area. The Town had always planned to connect these two roads when this property was developed and a stub road is shown on the existing survey. The proposed Vista Drive Extension will run along the rear property line of the Carter property, approximately 70' from the residence. The homes proposed to be built on Vista Drive will face the street and be approximately 115 feet from the rear of the nearest homes on Cambridge Court.

Comment #7: John Indelicato: Would like to see some buffering.

Response #7: The cul de sac on the northern portion of the site abuts property owned by Mr. Indelicato; however, this land is undeveloped vacant land. The Planning Board has directed the applicant to take another look at providing buffering in this area.

Comment #8: Peter Miller, Chief, Highland Fire District, letter dated September 26, 2012: The cul-de-sac designs do not allow for the easiest movement of the fire apparatus, further the

potential for snow storage and/or parking in the cul-de-sacs further hampers the ability of the fire department vehicles to move freely and quickly respond to needs within the project.

Response #8: Based on the turning radii provided to the project's engineers by the fire department on July 29, 2010, the Town's fire apparatus will be able to navigate the proposed cul-de-sacs. The project's engineers met with the Town Highway Superintendent prior to the meeting on September 27, 2012 to address the concerns regarding snow storage and parking on the cul-de-sacs. The plans were further modified to minimize pavement areas in the cul-de-sacs and to provide for a more efficient snow removal process. There will be no parking on the cul-de-sacs or any roadway in the development.

Furthermore, on October 18, 2012, the Town's engineering consultants provided the project's engineers with the turning radius requirements for the Town's ladder truck. The engineers have analyzed this information and determined that the ladder truck will be able to navigate the cul-de-sacs. The project engineers will submit this information to the Town for review as well as consult directly with the Fire Chief.

Comment #9: Bob Baron: Where is the snow going to be put with only a 10 foot lawn?

Response #9: The issue of snow removal was studied during the environmental review process and is described in more detail in the DEIS at pages 44-45. Snow removal on all roads will be performed by private contractors until such time as the roads are dedicated to the Town of Lloyd. In preparing the plan, the project's engineers worked closely with the Town Engineer to establish a road geometry that allows room for snow removal. The plan incorporates two primary features for snow storage. First, a 5 foot wide snow storage strip has been provided between the sidewalk and the face of the curb along all roadways. This strip allows for storage of snow through windrows which are plowed to the sides of each road as snowplowing proceeds up and down the streets. The second snow storage feature is the design of the cul-de-sacs. Each cul-de-sac is designed with a minimum six and one half foot snow stockpile area around the entire interior of the cul-de-sac. (These snow storage areas are indicated on the complete plan set). In addition to providing snow storage, the cul-de-sacs are also designed to drain inward to a low point which will minimize the runoff from snow melt entering the road and creating icing conditions.

Comment #9A: Rick Klotz, Superintendent, Town of Lloyd Highway Department, letter dated September 28, 2012: I would prefer T's (or hammerheads) be installed in lieu of the cul-de-sacs currently indicated for more efficient snow removal, maintenance and emergency access.

Response #9A: In preparing the preliminary plans, the geometry of the roads and areas of snow storage were designed in consultation with and reviewed at length by the then Town Engineer and then Highway Superintendent. The plan's road layout reflects the collective wisdom of the Town's engineer and consultants and was determined to be the best road layout for the project. In response to new concerns raised by the current Highway Superintendent, further modifications have been made to the cul-de-sacs to minimize pavement area and to provide for a more efficient snow removal process.

Comment #9B: Full height curbing in lieu of mountable curbs would definitely be preferred. Installation of mountable curbs results in cars being parked on the sidewalks rather than alongside them.

Response #9B: Parking will be prohibited on all streets within the subdivision. In addition, there is a 5 foot wide grassed area between the curb and the sidewalk.

Comment # 9C: Trees should not be planted in the town of Lloyd right of ways. Continuous maintenance is currently an issue with those properties we service now.

Response #9C: The type and location of street trees are regulated by §90-5 C(15) of the Town of Lloyd's subdivision regulations. The use of street trees in the right of way provide several benefits including shading of roadways in summer to reduce thermal impacts; reducing stormwater runoff; and preventing cars from being parked off the roadway. In addition, street trees are aesthetically pleasing and will provide an additional visual effect of a narrower road which will serve as a traffic calming measure by reducing roadway speed and enhances road safety.

CONSTRUCTION and OPERATION:

Comment #10: A few questions were asked regarding the construction of the project and the projected timeline for construction and sales including:

- Joseph LaFiandra: Who is going to be buying the units, how long will it take to sell all the units?
- Mary Genne Phillips, letter dated 9-19-12: The building of 162 homes is far too large in scale to be considered in this difficult economic time. Fears that the project will be erected and the lie fallow due to lack of interest in the purchasing new homes when there are so many already established houses for sale. Afraid that it will end up as a ghost town next door to Sunnybrook.
- Karl Kilpatrick: Thinks the sales of 162 homes will never occur.
- Bob Baron: Wants to know who will be buying the houses because they already have a project on Vineyard that is bankrupt and they cannot fill the place.
- Joseph Pugliese: What is the timeline for construction and when will construction begin?

Response #10: It is impossible to know who will be buying the units. The project will be marketed through a private real estate company which will likely advertise through print and online media.

The project is proposed to be constructed in four phases. The construction phasing plan was reviewed as part of the environmental impact statement and is described in detail in the DEIS on pages 46 – 56. The first phase will include the construction of the Vista Drive Extension, the main entry drive from Vista Drive and the traffic circle. The model homes (5 models homes are anticipated) will be constructed near the traffic circle for marketing purposes. Additional homes will only be constructed after a contract has been signed and all necessary financing is in place. Based on the phasing plan, it is estimated that the project will be developed over a period of five and one half years. Market conditions may affect the projected timeline. Construction would begin once all approvals and permits are in place; the current estimate is Spring/Summer 2013.

At the direction of the Planning Board, the applicant will reexamine both the boundaries of the proposed phases as well as the order of the identified phases.

Comment #11: Several individuals inquired about the pricing of the new homes including:

- Joseph Pugliese, Bob Baron, Thomas Kiss: What will be the selling price of the new homes?
- Frank Sammartano: Worried that the new homes will devalue his property.

Response #11: The actual selling prices of the new homes will be determined by the market conditions at the time of construction. Based on current market conditions and costs, the developer estimates the sale prices of the home to range from approximately \$240,000 to \$290,000, plus add-ons for upgrades to appliances and finishings, such as finished basements, upgraded cabinets, tiles, etc.

Comment #12: Osei Adoma: Will you be clearing all of the trees for construction?

Response #12: Trees will only be cleared during each of the construction phases and only those trees within the areas of disturbance for that phase, as shown on the subdivision plans.

Comment #13: A few comments concerned the presence of rock on site and the potential need for blasting including:

- Gary Carter (at the public hearing) and Gary and Barbara Carter, email dated 9-28-12: Will the amount of rock to be removed require any blasting? Concerned that blasting will cause damage to his home.

Response #13: The issue of rock removal and the potential for blasting was considered during the environmental impact review and is discussed in more detail in Section 3.2.1 of the DEIS. During the soils investigation, the project's engineers encountered rock in some areas where significant cuts are necessary. Rock that is encountered during construction will need to be removed either by mechanical means or by blasting. While the location of rock is difficult to determine, rock is likely to be encountered in the following areas: along Vista Drive, including the area of lots 13-16; and in the area of the intersection of Roads A and C. In removing bedrock, the contractor will minimize the need for blasting by first attempting to remove rock by mechanical means. If blasting is necessary, it will be performed by a fully insured, licensed blasting contractor in accordance with all applicable federal, state and local requirements and the blasting protocol outlined in the SEQR findings statement.

PERMITS and APPROVALS:

Comment #14: Frank Sammartano: Is an approval required from Central Hudson for construction under the power lines?

Response #14: : Yes, however, in general, as long as the foundations of the Central Hudson poles are not compromised and construction is not proposed within required clear areas, the permission is granted.

Comment #15: A few questions were raised with regard to the project's need to obtain a NYSDEC SPDES General Permit including:

- Dean Rivers, letters dated 9-20-12 and 9-28-12: Mountainside Woods needs to obtain a NYSDEC SPDES General Permit.
- Krystyna Gawek: Will a NYDEC SPDES permit be obtained?

Response #15: Yes, the applicant will file for a NYSDEC SPDES general permit for stormwater discharge from construction sites prior to the start of construction. For a more complete discussion regarding the SPDES general permit, see Section 3.1 of the DEIS and specifically pages 70-71.

WATER RESOURCES:

Comment #16: Joseph LaFiandra: Climatic change is happening and the statistics need to be changed to reflect what is happening in the environment.

Response #16: This comment was raised by Mr. LaFiandra during the environmental review process. The comment and response were included in Final Environmental Impact Statement (“FEIS”) at Comment/Response #10, which provides as follows: “The engineers are required to prepare the stormwater analysis, which is included in the DEIS, in accordance with the New York State Department of Environmental Conservation design guidelines, recently updated in August, 2010.”

Comment #16A: Rick Klotz, Superintendent, Town of Lloyd Highway Department, letter dated September 28, 2012: I have not had the liberty to review the flow rates and drainage calculations for this project in order to determine if those numbers will adversely affect the outfall on the Twaalfskill waterway.

Response 16A: A complete Stormwater Pollution Prevention Plan (SWPPP) was submitted with the DEIS which calculates and ensures that all post development peak runoff rates are equal to or less than predevelopment runoff rates. The SWPPP was reviewed by the Town’s engineering consultants and revised based upon comments. The SWPPP was prepared in accordance with the New York State Department of Environmental Conservation design guidelines, recently updated in August, 2010. The Planning Board has directed their engineering consultant to re-review and confirm that the drainage plan has been prepared in accordance with all appropriate and applicable laws and regulations and that the conclusions of the report are correct.

Comment #17: Dean Rivers, letters dated 9-20-12 and 9-28-12: Mountainside Woods needs to submit an MS4 SWPP and this plan needs to be implemented before any construction is started. Who will be monitoring the drainage to make sure that it prevents problems downstream?

Response #17: As more completely discussed on pages 80-83 of the DEIS, the developer is required to contract with a certified erosion and sediment control professional to perform inspections of the site during construction. In addition, the Town, as the operator of the MS4, will also be performing inspections, in accordance with standards set by the DEC, to minimize the potential for downstream impacts from onsite construction.

Comment #18: There were numerous concerns raised regarding current flooding in the area and that the project will cause an increase in stormwater runoff including:

- John Indelicato: The stream has washed out his driveway eight times under existing conditions; the stream overflows its banks, and the culvert is not large enough. Large amount of new impervious surface means new runoff and more water put into the system.

- Frank Sammartano: Water that is currently going into the stream, where is it going to go?
- Gary Carter: There is flooding in area. He is also concerned about drainage from the new road onto his property as his property is 20 feet lower than where the proposed road is located.
- Krystyna Gawek: She indicated that she lives at the lowest point on Toc Drive and currently has drainage problems. The town catch basin by the boulders already overflows. She believes that the drains were improperly installed and submitted pictures to Town and the Building Inspector. Will the development make her problems worse? There is already flooding on Vineyard Avenue.
- Henry Wallace: There are existing drainage problems on Reservoir Road.
- Bob Baron: The stream on Vineyard Avenue overflows and needs to be dug out. The intersection of Toc/Vineyard is currently under water when it rains. Reservoir Road floods and houses pump out excess water onto the road which freezes in the cold weather.
- Steven Greenwell: Toc/Tillson already floods with any amount of rain.
- Gary and Barbara Carter, email dated September 9-28-12. There is a storm drain in their backyard and they are concerned about its ability to handle additional drainage from the snow that has been plowed to the side of the road.
- Joseph LaFiandra: There is no such thing as zero net run off.
- Emily Albers: She is concerned about drainage/erosion
- Denise Hamberger: Drainage naturally goes downhill and follows gravity and that can't be changed; there is currently flooding on Vineyard.
- Thomas Kiss: He is concerned about flooding/drainage and indicated that there are current drainage issues on Hilltop, Diana and Carmella.
- Dean Rivers, letters dated 9-20-12 and 9-28-12: Once the project is built it will cause an increase in runoff in the direction of Toc Drive; does the existing stormwater system have the capacity to take additional water.
- Joseph Pugliese: He expressed concerns with regard to drainage indicating that he currently doesn't have any problems and doesn't want problems in the future.
- Gary Kiliva: The gravel road that he lives on flooded when Vineyard Avenue flooded and he doesn't think it's a good idea to put a new road through there.

Response #18: As indicated above, the issues of stormwater and drainage were extensively studied during the environmental review process and are described in detail in the DEIS, Section 3.1. Currently, the stormwater runoff from the majority of the property (139.13 acres) flows to an onsite stream that exits the site to the north, or to the wetland along the Rail Trail away from all the existing residential development below the site and away from Tillson Ave. There is no development proposed for this drainage area and stormwater will continue to flow to the same location and will have no potential impact on residence of Hilltop Lane, Cambridge Court or Sunnybrook.

Stormwater runoff from two small areas of the site currently flow to the drainage system in Vista Drive and Sunnybrook Circle and to the rear of the homes along Hilltop Lane. Concerns regarding development in these drainage areas were raised by the Town Board, the Planning Board and their consultants during the environmental review process. The existing drainage area that currently flows to Vista Drive and eventually Sunnybrook Circle is approximately 12.3 acres in size. By utilizing a series of catch basins and culverts, the proposed drainage plan redirects 9

acres or 73% of the area around Sunnybrook to a new stormwater detention facility and eventually to the existing drainage system below Sunnybrook.

The existing drainage area that flows to the rear of the homes on Hilltop Lane has also been significantly reduced. This area is currently 1.64 acres in size and upon completion of the development will be 0.4 acres in size or a net reduction of 76%. The area of the site that now flows to the homes on Hilltop Lane will be redirected to a new stormwater pond and eventually to the onsite stream that flows to the north away from Hilltop Lane.

Accordingly, the proposed drainage plan will **reduce** (not increase) **the flow of stormwater to the existing development**. The Planning Board has directed their engineering consultant to re-review and confirm that the drainage plan has been prepared in accordance with all appropriate and applicable laws and regulations and that the conclusions of the report are correct.

Several of the public comments involve current flooding problems in areas, such as Reservoir Road and the Toc/Tillson intersection, which do not and will not receive stormwater from the site and therefore will not be impacted by development of the site.

Comment #19: Will anything be done in the storm water detention basins to prevent mosquitoes?

Response #19: Properly designed ponds reduce the potential for mosquito breeding by ensuring that shallow areas drain in less than 72 hours and by ensuring that permanent pools are of sufficient depth to deter colonization by mosquitos

Comment #20: A few questions were raised with regard to the dam inundation study conducted by the Town.

- Joseph LaFiandra: Is his house one of the ones listed in the inundation report?
- Emily Albers: Inundation study still leaves items to consider, 6 homes affected and 56 with some effect.

Response #20: The project's potential effect on the inundation of downstream residences was a concern of the Town and was studied at length in the DEIS. Based on the inundation analysis performed by the Town's engineering consultant, the project will reduce the potential for inundation of homes below the site and Sunnybrook. According to the mapping location of 80 Sunny Brook Circle provided by Google Maps, Mr. LaFiandra's house is not within the inundation area. Further information with regard to specific housing locations may be available from the Town's engineering consultants.

TRANSPORTATION and TRAFFIC:

Comment #21: A few individuals asked questions about the proposed donation of \$250,000 by the developer which funds will be used for traffic improvements at the Toc/Tillson intersection including:

- Osei Adoma: Is the \$250,000 donation required or optional; will it be required before any development takes place?
- Karl Kilpatrick: Donation from the developer of \$250,000 isn't going to do anything to fix the problem.

Response #21: The developer has committed to making a donation of \$250,000 to the Town which funds will be used towards improvements at the Toc/Tillson intersection. This

payment will be made prior to the filing of the subdivision map with Ulster County and the start of construction. As part of the approval process, the applicant will be required to execute a Developer's Agreement with the Town which will outline all required conditions and payments to be made before and during the construction process, and which provides an enforcement mechanism. The Town is funding the improvement to the Toc/Vineyard intersection with grants and is required to provide "match" funding. It is believed that the \$250,000 is the Town's full share of the "match" funds required by the grantors.

Comment #22: Osei Adoma: The traffic study was conducted without new cars, correct?

Response #22: The issue of traffic was extensively examined during the environmental review process and a traffic study was performed by John Collins Engineers, P.C. A discussion of current conditions, potential impacts and proposed mitigation measures are detailed in the DEIS at section 3.3, pages 85-93. The full report is included in Appendix D(1) of the DEIS. During the traffic study, traffic counts were collected for the current traffic at peak times, which counts are referred to as the "No Build Traffic Volumes." A "Build" scenario, which projects site related traffic volumes was also developed to analyze the impact that the development would have on traffic in the area. Estimates of the amount of traffic to be generated during the AM and PM peak hours were developed based on data published by the Institute of Transportation Engineers.

Comment #23: Henry Wallace: There is currently high traffic volume from Berean park in July.

Response #23: The traffic study contained in the DEIS considered the traffic associated with the park during the summer months. See Appendix D(1) and page 91 of the DEIS for further information. Berean Park is used seasonally for summer recreation programs; however, the traffic study found that the development would not impact traffic in the area as programs generally start after the AM peak traffic period and conclude prior to the PM peak traffic period. Additionally, background traffic in the area is typically 5% to 10% lower than normal during the summer months.

Comment #24: A few individuals commented on vehicles speeding on Reservoir Road and the safety issues associated therewith including:

- Denise Hamberger: The current traffic volume and speeds on Reservoir Road present safety issues, what does adding more cars do?
- Bob Baron: The traffic speeds down Reservoir Road.

Response #24: The speeding of cars on local roadways is a law enforcement issue and is not within the control of the applicant.

Comment #25: Several individuals commented on the need for more than stop signs to control traffic and expressed concerns regarding safety with the increase in traffic in the area including:

- Dean Rivers, letters dated 9-20-12 and 9-28-12: Would like have stop lights installed, not just stop signs to control the heavy traffic.

- Osei Adoma: He has young children and is worried about safety issues with more cars and would like to see more than stop signs; is not sure where the new traffic flow will go or how it will be managed.
- Karl Kilpatrick: He expressed concern over the increased traffic, current volume on the roads leads to safety issues. Even the addition of 25 houses, which he thinks is too many, adds 50 cars.
- Steven Greenwell: Manufacturing facility with tractor trailer trucks adds to traffic congestion. The traffic on Toc Drive is already bad.
- Ellen Marie Cosentino, letter dated 9-18-12. The project will require that the roads be upgraded in the future.

Response #25: The DEIS proposes the installation of several traffic calming devices to slow traffic in the project area including the installation of new stop signs. The intent of these traffic calming measures is to reduce the traveling speeds of vehicles along the roadways and to improve safety. To help reduce speeds on Reservoir Road and other local roads, the Town Highway Superintendent recommended the use of stop signs at several intersections. These stop signs have been incorporated into the proposed plan as mitigation measures.

The traffic study analyzed the capacity of local roadways to handle additional volume and it was determined that the local roads had sufficient capacity for the additional traffic and would not need to be upgraded. The traffic volumes, however, do not meet the warrants necessary for installation of traffic signals.

Comment #26: A few individuals expressed concerns regarding pedestrian safety in the area as there are no sidewalks along Toc Drive including:

- Steven Greenwell: He expressed concerns about the pedestrian safety on Toc Drive with the addition of more traffic volume.
- Dean Rivers, letters dated 9-20-12 and 9-28-12: Toc Drive as the main road will be dangerous for pedestrians, we have no sidewalks.

Response #26: The installation of stop signs as requested by the Town Highway Superintendent will reduce speeds along Toc Drive and thereby improve pedestrian safety.

Comment #27: Several individuals expressed concerns regarding the intersection of Toc/Tillson and Vineyard Avenue including:

- Emily Albers: There is insufficient access for the traffic and no traffic light at Vineyard Ave.
- Gary and Barbara Carter, email dated 9-28-12: The intersection of Toc/Tillson/Vineyard is dangerous now and needs to be addressed before additional traffic is added.

Response #27: The Town is aware that with or without the project, the intersection of Toc and Vineyard Ave requires improvements to correct traffic flow and safety. The Town is working with the NYSDOT to improve the intersection by constructing a round-a-bout. The agreement with the NYSDOT to improve this intersection requires the Town pay its local share of the project. It is our understanding that the \$250,000 contribution by the applicant will be used to pay for the Town's share of the project. Plans for the proposed improvements to the Toc/Tillson/Vineyard Avenue intersection are available for review at the Town Hall.

Comment #28: A few individuals raised questions about creating an alternative access from the site to other roadways in the area including:

- Steven Greenwell and Karl Kilpatrick: Would like to see access onto New Paltz Road.
- Dean Rivers, letters dated 9-20-12 and 9-28-12: Build a new road that exits in the opposite direction of Hillside Meadows, Toc Drive and his gravel road.
- Steven Greenwell: Would like to see if the project can connect Tano and Commercial in order to help with traffic.

Response #28: Early on in the development of this subdivision plan, two alternative access options were considered. The first was to connect the site to New Paltz Road by building an access drive through 37 New Paltz Road. This alternative required bridging the Rail Trail and the Town was not in favor of creating such a crossing. A second alternative involved building a larger road through Mr. Indelicato's property, which would exit onto New Paltz Road approximately 1500' south of Upper Grand Street. Environmental constraints, unrealistic economic demands and costs made this alternative not viable. Connecting Tano Drive to Commercial Drive would also require crossing the Rail Trail. In addition, the applicant does not have the ability to perform work on property that it does not own and therefore connecting the site to New Paltz Road or Tano Drive to Commercial Drive is outside its ability.

UTILITIES:

Comment #29: Several individuals questioned the capacity of the water system to handle the additional needs of the development including:

- Ellen Marie Cosentino: The project will put stress on the water system.
- Dean Rivers, letters dated 9-20-12 and 9-28-12: Is there sufficient capacity in the water system for the additional homes?

Response #29: The issue of the water supply was analyzed as part of the environmental review process and a complete discussion is included in Section 3.4 of the DEIS. This analysis considered both the availability of water and the water pressure needed to service the project and determined that there was sufficient water capacity and pressure. This analysis was reviewed by the town's engineer for the water department.

Comment #30: A few individuals raised questions about the capacity of the sewer treatment plant to handle the additional demand associated with the proposed development including:

- Dean Rivers, letters dated 9-20-12 and 9-28-12: Is there sufficient capacity at the sewage treatment plant for the additional homes?
- Ellen Marie Cosentino, letter dated September 18, 2012: The project will put stress on the sewer system.
- Karl Kilpatrick: How can the existing sewage treatment plant handle the additional capacity?

Response #30: The issue of the capacity of the sewage treatment plant to service the project was analyzed during the environmental review process and is more fully described in Section 3.4 of the DEIS. It was determined, based on this analysis, that there is sufficient sewer capacity and infrastructure to service the project. This analysis was reviewed by the Town's

engineer for the sewer department. The Planning Board has directed their engineer re-review the proposed flow rates and confirm that the conclusions of the applicant's engineers are correct.

COMMUNITY SERVICES:

Comment #31: Joseph LaFiandra: He does not agree with some of the multipliers and other numbers utilized to determine impacts in the DEIS.

Response #31: Mr. LaFiandra's comment regarding the multipliers was submitted during the environmental review process and was addressed in the FEIS at Comment/Response #15. The response to this comment is as follows: "The applicant determined the projected number of school children utilizing accepted planning principles and methodology and utilizing the most relevant multipliers."

Comment #32: A few individuals expressed concerns regarding the impact of the project on the Highland Central School District:

- Ellen Marie Cosentino: The project will put stress on the existing schools.
- Dean Rivers, letters dated 9-20-12 and 9-28-12: Will we have increased crime and gang problems? The schools will be overcrowded.
- John Indelicato: Project will result in more schools.

Response #32: The potential impacts on the Highland Central School District were analyzed during the environmental review process and are discussed in detail in Section 3.5 of the DEIS. Based on information provided by Stephen Perry, Director, Business and Financial Services, Highland Central School District, the school district has available capacity in its existing school buildings to accommodate the projected student population.

Comment #33: Joseph LaFiandra: Would like to see 2014 dollars be used instead of today's dollars for fiscal impact analysis.

Response #33: This comment was submitted by Mr. LaFiandra during the environmental review process and was responded to in the Final Environmental Impact Statement, Comment/Response #17. The response provided in that document is as follows: "Accepted planning methodology estimates potential cost of services utilizing current revenues and expenses. Utilizing anticipated figures for revenue and expenses is considered too speculative and is not an accepted methodology."

Comment #34: Several individuals expressed concerns with regard to the potential fiscal impact of the project, specifically the project's effect on their taxes and municipal services including:

- Henry Wallace: Costs the town money for each house built.
- John Indelicato: Project will result in a greater demand on the fire departments and police departments.
- Emily Albers: She expressed concerns about taxes going up.
- Dean Rivers, letters dated 9-20-12 and 9-28-12: Taxes will go up to pay for extra police, fire and to build bigger schools.
- Joseph LaFiandra: Residential development doesn't pay for itself and requires new taxes, not self-sustaining.
- Bob Baron - Taxes will go up.

Response #34: A fiscal analysis was completed as part of the environmental review and a more complete discussion of the potential impacts is included in the DEIS in Section 3.5.2. The full Fiscal Report is included in the DEIS at Appendix G(1). As part of this analysis, a cost of community services was prepared which compares the projected tax revenue with the projected cost of service for each taxing district. This analysis determined that the Town of Lloyd, Ulster County and the Highland Water District would have surplus revenue of \$19,819, \$29,237, and \$9,436 respectfully. The project may create a net deficit of \$2,498 annually to the Highland School District, upon full build out. The first three construction phases of the project will generate tax positive revenue to the school district, with the deficit occurring during the fourth construction phase. Even if the total deficit of \$2,498 occurs, it would create a potential increase in taxes of only \$0.60 (60 cents) per taxing parcel within the District.

With regard to impacts on the Fire Department, the project is expected to generate a demand for an additional 0.82 fire department personnel. It is expected that at least one additional volunteer will be among the new residents. The project is projected to generate \$41,168 annual property tax revenue to supplement firematic operations.

With regard to the Police Department, the Town's current police personnel ratio would not be affected by the additional population.

Comment #35: Several individuals expressed concern about the Town accepting dedication of the 123.5 acres open space including:

- Henry Wallace: Dedication of land to the town takes it off the tax rolls.
- Frank Sammartano: Property dedicated to town is useless property.
- John Indelicato: Donated land is not developable.
- Bob Baron: Isn't the Town at 100% assessment, what is coming off the tax maps? Would like to see the information generated by the tax assessor with regard to the acceptance of the open space.

Response #35: The Town of Lloyd Town Board passed a resolution on August 15, 2012, agreeing to accept the dedication of the open space. This determination was based upon several factors including the location of the property on and adjacent to Illinois Mountain, which is identified in the Town's Comprehensive Plan as an important environmental, aesthetic and ecological feature; the proximity of the property to the Town's water supply and its reservoirs which protects the public health and welfare by preserving the land as a buffer to its water supply and reservoir; and the property connects to other open space and trailways that provide important recreational opportunities to the residents of the Town.

Comment #36: Ellen Marie Cosentino, letter dated 9-18-12: She would like the Town to put more effort into increasing the commercial properties so the tax burden could be reduced.

Response #36: The applicant's site is zoned residential and does not permit commercial uses.